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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

GARY M. JOHNSON

Serial No.: 10/733,605

Filed: DECEMBER 11, 2003

For: SWITCHED CAPACITOR FOR A
TUNABLE DELAY CIRCUIT

Group Art Unit: 2816

Examiner: Dinh Thanh Le

Conf. No.: 8519

Atty. Dkt.: 2008.007900/03-0478

CUSTOMER NO.: 23720

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

MAIL STOP AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**CERTIFICATE OF MAILING
37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

5-8-07

Date

Nancy Nolan
Signature

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed January 8, 2007, finally rejecting claims 1-4, 9, 10, 25-28, 33-38, 43 and 44. The statutory date for filing this Notice of Appeal is April 8, 2007. The Examiner mailed an Advisory Action on April 4, 2007 and it was received by Applicant on April 9, 2007, after the three-month deadline. This Notice of Appeal is being filed on or before May 8, 2007, therefore, a one-month extension is requested.

05/15/2007 TRESMAN: 00002005 530786 10733605
01 FC:1401 530.00 DA

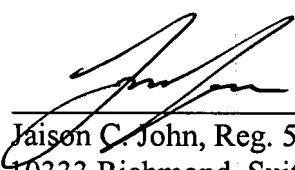
An extension of time is required to enable this document to be timely filed, and there is no separate Petition for Extension of Time filed herewith, therefore, this paper is to be construed

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02 FC:1251 120.00 DA

as also constituting a Petition for Extension of Time under 37 CFR § 1.136(a) for a period of one month to enable this document to be timely filed.

The fee for filing this Notice of Appeal is \$500.00. Additionally, the fee for a one-month extension is \$130.00. The Commissioner is authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2008.007900/03-0478.

Please date stamp and return the enclosed postcard to evidence receipt of this document.

<p>Date: <u>May 8, 2007</u></p>	<p>Respectfully submitted,</p> <p>WILLIAMS, MORGAN & AMERSON, P.C. CUSTOMER NO. 23720</p> <p>By:  Jason C. John, Reg. 50,737 10333 Richmond, Suite 1100 Houston, Texas 77042 (713) 934-4069 (713) 934-7011 (facsimile) ATTORNEY FOR APPLICANT(S)</p>
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